

ESHB 1226 - S COMM AMD

By Committee on Early Learning & K-12 Education

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Teaching first peoples' languages and cultures is a critical  
5 factor in successful educational experiences and promoting cultural  
6 sensitivity for all students. Experience shows such teaching  
7 dramatically raises student achievement. The effect is particularly  
8 strong for Native American students;

9 (2) Native American students have the highest high school dropout  
10 rate among all groups of students. Less than one-fourth of Native  
11 American students in the class of 2008 are on track to graduate based  
12 on the results of the Washington assessment of student learning.  
13 Positive and supportive educational experiences are critical for Native  
14 American students' success;

15 (3) The sole expertise of sovereign tribal governments whose  
16 traditional lands and territories lie within the borders of the state  
17 of Washington in the transmission of their indigenous languages,  
18 heritage, cultural knowledge, histories, customs, and traditions should  
19 be honored;

20 (4) Government-to-government collaboration between the state and  
21 the sovereign tribal governments whose traditional lands and  
22 territories lie within the borders of the state of Washington serves to  
23 implement the spirit of the 1989 centennial accord and other similar  
24 government-to-government agreements, including the 2004 accord between  
25 the federally recognized Indian tribes with treaty reserved rights in  
26 Washington state and the state of Washington;

27 (5) Establishing a first peoples' language and culture teacher  
28 certification program both achieves educational objectives and models  
29 effective government-to-government relationships;

1 (6) Establishing a first peoples' language and culture  
2 certification program implements the following policy objectives of  
3 P.L. 101-477, the federal Native American languages act of 1990, in a  
4 tangible way:

5 (a) To preserve, protect, and promote the rights and freedom of  
6 Native Americans to use, practice, and develop Native American  
7 languages;

8 (b) To allow exceptions to teacher certification requirements for  
9 federal programs and programs funded in whole or in part by the federal  
10 government, for instruction in Native American languages when such  
11 teacher certification requirements hinder the employment of qualified  
12 teachers who teach in Native American languages, and to encourage state  
13 and territorial governments to make similar exceptions;

14 (c) To encourage and support the use of Native American languages  
15 as a medium of instruction in order to encourage and support Native  
16 American language survival, educational opportunity, increased student  
17 success and performance, increased student awareness and knowledge of  
18 their culture, and increased student and community pride;

19 (d) To encourage state and local education programs to work with  
20 Native American parents, educators, Indian tribes, and other Native  
21 American governing bodies in the implementation of programs to put this  
22 policy into effect; and

23 (e) To encourage all institutions of elementary, secondary, and  
24 higher education, where appropriate, to include Native American  
25 languages in the curriculum in the same manner as foreign languages and  
26 to grant proficiency in Native American languages the same full  
27 academic credit as proficiency in foreign languages;

28 (7) Establishing a first peoples' language and culture  
29 certification program is consistent with the intent of presidential  
30 executive order number 13336 from 2004, entitled "American Indian and  
31 Alaska native education," to assist students in meeting the challenging  
32 student academic standards of P.L. 107-110, the no child left behind  
33 act of 2001, in a manner that is consistent with tribal traditions,  
34 languages, and cultures.

35 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.410  
36 RCW to read as follows:

37 (1) The Washington state first peoples' language and culture

1 teacher certification program is established. The professional  
2 educator standards board shall adopt rules to implement the program in  
3 collaboration with the sovereign tribal governments whose traditional  
4 lands and territories lie within the borders of the state of  
5 Washington, including the tribal leader congress on education and the  
6 first peoples' language and culture committee. The collaboration  
7 required under this section shall be defined by a protocol for  
8 cogovernance in first peoples' language and culture teacher  
9 certification program developed by the professional educator standards  
10 board, the office of the superintendent of public instruction, and the  
11 sovereign tribal governments whose traditional lands and territories  
12 lie within the borders of the state of Washington.

13 (2) Any sovereign tribal government whose traditional lands and  
14 territories lie within the borders of the state of Washington may  
15 participate individually on a government-to-government basis in the  
16 program.

17 (3) Under the first peoples' language and culture teacher  
18 certification program:

19 (a) Only a participating sovereign tribal government may certify  
20 individuals who meet the tribe's criteria for certification as a  
21 teacher in the Washington state first peoples' language and culture  
22 program. Before certification of the individual, the participating  
23 sovereign tribal government shall conduct a background check through  
24 the tribal police departments within Washington state to determine, to  
25 the extent possible, whether the individual has been convicted of any  
26 crimes that may otherwise disqualify the person from being awarded a  
27 teacher certificate and provide this information to the office of the  
28 superintendent of public instruction. The office of the superintendent  
29 of public instruction shall not authorize or accept a certificate or  
30 endorsement in Washington state first peoples' language and culture  
31 without certification from a participating sovereign tribal government  
32 and without conducting a record check of an individual applying for  
33 certification as required under RCW 28A.410.010;

34 (b) For each teacher to be certified in the program, the  
35 participating sovereign tribal government shall submit information and  
36 documentation necessary for the issuance of a state certificate, as  
37 defined by rule, to the office of the superintendent of public  
38 instruction;

1 (c) A Washington state first peoples' language and culture teacher  
2 certificate serves as a subject area endorsement in first peoples'  
3 language and culture. The holder of a Washington state first peoples'  
4 language and culture teacher certificate who does not also hold an  
5 initial, residency, continuing, or professional teaching certificate  
6 authorized by the professional educator standards board may be assigned  
7 to teach only the languages and cultures designated on the certificate  
8 and no other subject;

9 (d) In order to teach first peoples' language and culture, teachers  
10 must hold certificates from both the office of the superintendent of  
11 public instruction and the sovereign tribal government; and

12 (e) The holder of a Washington state first peoples' language and  
13 culture teacher certificate meets Washington state's definition of a  
14 highly qualified teacher under P.L. 107-110, the no child left behind  
15 act of 2001, for the purposes of teaching first peoples' language and  
16 culture, subject to approval by the United States department of  
17 education.

18 (4) First peoples' language/culture teacher certificates issued  
19 under rules approved by the state board of education or the  
20 professional educator standards board under a pilot program before the  
21 effective date of this section remain valid as certificates under this  
22 section, subject to the provisions of this chapter.

23 (5) Schools and school districts on or near tribal reservations are  
24 encouraged to contract with sovereign tribal governments whose  
25 traditional lands and territories lie within the borders of the state  
26 of Washington and first peoples' language and culture certification  
27 programs for in-service teacher training and continuing education in  
28 the culture and history appropriate for their geographic area, as well  
29 as suggested pedagogy and instructional strategies.

30 **Sec. 3.** RCW 28A.415.020 and 2006 c 263 s 808 are each amended to  
31 read as follows:

32 (1) Certificated personnel shall receive for each ten clock hours  
33 of approved in-service training attended the equivalent of a one credit  
34 college quarter course on the salary schedule developed by the  
35 legislative evaluation and accountability program committee.

36 (2) Certificated personnel shall receive for each ten clock hours  
37 of approved continuing education earned, as continuing education is

1 defined by rule adopted by the professional educator standards board,  
2 the equivalent of a one credit college quarter course on the salary  
3 schedule developed by the legislative evaluation and accountability  
4 program committee.

5 (3) Certificated personnel shall receive for each forty clock hours  
6 of participation in an approved internship with a business, an  
7 industry, or government, as an internship is defined by rule of the  
8 professional educator standards board in accordance with RCW  
9 28A.415.025, the equivalent of a one credit college quarter course on  
10 the salary schedule developed by the legislative evaluation and  
11 accountability program committee.

12 (4) An approved in-service training program shall be a program  
13 approved by a school district board of directors, which meet standards  
14 adopted by the professional educator standards board, and the  
15 development of said program has been participated in by an in-service  
16 training task force whose membership is the same as provided under RCW  
17 28A.415.040, or a program offered by an education agency approved to  
18 provide in-service for the purposes of continuing education as provided  
19 for under rules adopted by the professional educator standards board,  
20 or both.

21 (5) Clock hours eligible for application to the salary schedule  
22 developed by the legislative evaluation and accountability program  
23 committee as described in subsections (1) and (2) of this section,  
24 shall be those hours acquired after August 31, 1987. Clock hours  
25 eligible for application to the salary schedule as described in  
26 subsection (3) of this section shall be those hours acquired after  
27 December 31, 1995.

28 (6) In-service training or continuing education in first peoples'  
29 language or culture provided by a sovereign tribal government  
30 participating in the Washington state first peoples' language and  
31 culture program authorized under section 2 of this act shall be  
32 considered approved in-service training or approved continuing  
33 education under this section and RCW 28A.415.023.

34 NEW SECTION. **Sec. 4.** This act may be known and cited as the  
35 "First peoples' language/culture teacher certification act: Honoring  
36 our ancestors." "

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1        On page 1, line 2 of the title, after "program;" strike the  
2 remainder of the title and insert "amending RCW 28A.415.020; adding a  
3 new section to chapter 28A.410 RCW; and creating new sections."

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